

APR 23 2015

U.S. District Court
Eastern District of MOUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN R. CUTTS,)
)
Plaintiff,)
)
v.)
)
ST. LOUIS COUNTY DEPT. OF HEALTH,)
)
Defendant.)

COMPLAINT

The grounds on which this case is being filed in Federal Court are:

- 1) Invasion of Privacy
- 2) 42 U.S.C. § 1983

PLAINTIFF, John R. Cutts, resides at 14425 Lost Fox Drive, Florissant, MO 63034.
Telephone: (314) 317-0172.

DEFENDANT, St. Louis County Department of Health, is located at 6121 North Hanley Road, Berkeley, MO 63134.
(Another defendant may be named after discovery, or sooner, if the necessary information is made available.)

STATEMENT OF CLAIM

The defendant, by its policy, which lacked the necessary safeguards mandated by federal law to prevent such activities from occurring, shared confidential medical information with a St. Louis County Employee working in an official capacity, who retrieved and transmitted by electronic means, the medical records of myself, the plaintiff, which violated my right to medical privacy. After a formal request was made by the plaintiff to the county's executive office of the defendant, for the name and contact information of the employee who actually performed the violation with the assistance of the county's policy, no response was given. The facts that the employee was a female, and that the medical records were sent to her personal email account, were first introduced by the Federal Court's Memorandum and Order of Dismissal in Case No. 4:15CV263RLW.

RELIEF

Neither do I have the intricate expertise of an attorney, nor can I afford one at this time. But I feel strongly that my right to privacy has been violated. I ask the Court to forgive me if I make minor mistakes along the way. "Plaintiff, as a pro se litigant, is entitled to some latitude." *Bieros v. Nicola*, 839 F.Supp. 332, 334 (E.D.Pa. 1993). I believe that any reasonable person, who has a very personal and somewhat embarrassing medical history, would feel violated, betrayed and disappointed if their medical records were shared with someone for anything other than medical purposes approved by the individual and his or her doctor. I feel my only avenue of redress is through the Court. If the Court cannot help me, then there is no solution. I would like for the Court to allow due process, including discovery, to take place.

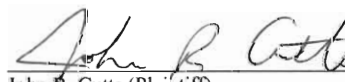
MONEY DAMAGES

\$2 million in punitive money damages, because in my very limited experience in dealing with case law, I searched for a similar and recent case and sought what the outcome was, and found that on November 14, 2014, the Indiana Court of Appeals upheld a \$1.4 million verdict against a company whose employee shared confidential medical information.

I also hereby maintain that the wrongs alleged in the complaint are continuing to occur because in my mind I can envision an "unnamed female worker" with my medical records in her hand, ready to share them at her own free will.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23rd day of April, 2015



John R. Cutts (Plaintiff)